



MURIEL GOODE-TRUFANT
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

ANUMEHA TANYA
Senior Counsel
Tel.: (212) 356-5052
atanya@law.nyc.gov

November 8, 2024

VIA ECF

Honorable Margaret M. Garnett
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Theresa Nunez OBO Minor Z.O. v. City of New York, et al.
24-CV-03880 (MMG)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Muriel Goode-Trufant, Acting Corporation Counsel of the City of New York, and the attorney for Defendants the City of New York and Officers Espana, Mahmud, Quiles and McKenith. (“defendants”) in the above-referenced matter. Defendants respectfully request an extension of time until December 6, 2024 to provide plaintiff with “limited discovery” as required by Local Civil Rule 83.10. Plaintiff does not consent to this request.¹

By way of background, On May 20, 2024, Plaintiff filed the instant §1983 action against Defendants City, and New York City Police Department (“NYPD”) officers Brandon Quiles, Joshua Espana, Jehad Mahmud, Malachi B. McKenith and John Does 1-2. *See* Docket Entry No. 1. On May 21, 2024, this matter was noticed to participate in Southern District of New York's Local Civil Rule 83.10 (the “Plan”). *See* Docket Entry Dated May 21, 2024 “NOTICE OF PARTICIPATION IN LOCAL CIVIL RULE 83.10.”

¹ Plaintiff conditioned his consent to this request to defendants agreeing to provide him with *all* discovery by November 29, 2024. Such condition is not workable nor is it appropriate under the Federal Rules or Local Civil Rule 83.10.

On October 11, 2024, defendants City, Espana, Mahmud and Quiles all responded to plaintiff's complaint. *See* E.C.F. No. 20. And, on November 6, 2024, the undersigned filed the answer on behalf of Officer McKeith. *See* E.C.F. No. 21. Pursuant to the Paragraph 4 (b) of the Plan, defendants served their initial disclosures on November 4, 2024. However, pursuant to Paragraph 5(a) Local Civil Rule 83.10, defendants are required to provide "limited discovery" on November 11, 2024.

The instant request is now made because the undersigned currently expects to be out of the country attending to a family medical emergency from November 8 until November 25, 2024.² Although plaintiff does not consent to this request, this extension will also afford plaintiff additional time to serve her initial disclosures pursuant to Paragraph 4(b), which, to date, remain outstanding.

Thank you for your consideration herein.

GRANTED. Defendants' deadline to provide Plaintiff with limited discovery pursuant to Local Civil Rule 83.10 is hereby EXTENDED until **December 6, 2024**.

SO ORDERED. Dated November 12, 2024.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Anumeha Tanya

Anumeha Tanya
Senior Counsel

cc: VIA ECF
All counsel of record

² The undersigned can provide additional details about this medical emergency on an *ex parte* basis should the Court require it.